

Public Acts of 2005
Amendments to Title 33, Tennessee Code Annotated

**Public Chapter
Number**

P.C. 150 Section 1	T.C.A., §33-3-218, is amended by deleting the word "and" from subdivision (2) and substituting instead the word "or".
Section 2	<p>T.C.A., §33-6-107, is amended by deleting the words "mental health treatment" from the first sentence of subdivision (a) and substituting instead the word "treatment" and is further amended by inserting the following sentence between the third and fourth sentences of subdivision (b):</p> <p>"A treatment review committee that considers treatment for a physical condition or illness must include a physician, physician assistant, or nurse practitioner."</p> <p>and is further amended by deleting the words "mental health treatment" wherever they appear from subdivision (d) and substituting instead the word "treatment".</p>
Section 3	T.C.A., §33-7-303, is amended by deleting the words and figures "sixty (60) days and a maximum of ninety (90) days" from subdivision (a) and substituting instead the words and figures "thirty (30) days and a maximum of sixty (60) days" and is further amended by deleting the words "ninety-day" wherever they appear from subdivision (b)(2) and substituting the words "sixty-day".
P.C. 260 Section 1	<p>T.C.A., §33-7-301, is amended by adding the following subdivision to subsection (a):</p> <p>(4) During the post-conviction stage of a criminal proceeding, if it is believed that a defendant is incompetent to assist counsel in preparation for or otherwise participate in the post-conviction proceeding the court may upon its own motion order that the defendant be evaluated on either an outpatient or inpatient basis as may be appropriate. If the defendant is indigent, the amount and payment of the costs for any such evaluation shall be determined and paid for by the administrative office of the courts. If the defendant is not indigent, the cost of the evaluation shall be charged as court costs. If the evaluation cannot be done on an outpatient basis and if it is necessary</p>

P.C. 260
Section 1 (cont.)

to hospitalize the defendant in a department facility, such hospitalization shall not be for more than thirty (30) days and shall be subject to the availability of suitable accommodations. Any costs incurred by the administrative office of the courts shall be absorbed within its current appropriation for the indigent defense fund.